



General Assembly

February Session, 2000

Amendment

LCO No. 3887

Offered by:

REP. LAWLOR, 99th Dist.

REP. TULISANO, 29th Dist.

REP. STONE, 9th Dist.

SEN. WILLIAMS, 29th Dist.

To: Subst. House Bill No. 5832

File No. 227

Cal. No. 215

(As Amended)

"An Act Concerning Reforming The Sheriff System."

1 Strike lines 53 to 61, inclusive, in their entirety and insert the
2 following in lieu thereof:

3 "(b) The Judicial Department shall employ judicial marshals for
4 prisoner custody and transportation responsibilities pursuant to this
5 section. The Chief Court Administrator may establish employment
6 standards and implement appropriate training programs to assure
7 secure prisoner custody and transportation. Such standards and
8 programs shall be in force and effect by December 1, 2000. Any
9 property used by the sheriffs for prisoner transportation shall be
10 transferred to the Judicial Department.

11 (c) The Judicial Department shall enter into an agreement with state
12 agencies for the management, training or coordination, or any

13 combination thereof of courthouse security and prisoner custody and
14 transportation functions."

15 Strike line 174 and insert in lieu thereof: "process. Such standards
16 and requirements shall be in force and effect by December 1, 2000."

17 Strike line 177 in its entirety and substitute the following in lieu
18 thereof "commission with an applicant who shall be an elector in the
19 county where such vacancy occurs. Any applicant for such vacancy
20 shall be subject to the"

21 In line 3498, strike "police" and substitute in lieu thereof "marshals"

22 In line 3499, strike "officers"

23 Strike subsection (b) of section 132 in its entirety and substitute the
24 following in lieu thereof:

25 "(b) Notwithstanding any provision of this chapter, each person
26 employed as a judicial marshal pursuant to section 1 or 2 of this act, on
27 or after December 1, 2000, shall become a member of the state
28 employees retirement system on the date of such employment and
29 vesting and credited service shall be calculated from the date of such
30 employment, provided in no event shall an employee receiving
31 payments pursuant to section 5-164a or section 5-192v receive vesting
32 or credited service under this section."

33 Strike subdivisions (2) and (3) of subsection (l) of section 133 in their
34 entirety and substitute the following in lieu thereof:

35 "(2) Effective December 1, 2000, any state marshal shall be allowed
36 to participate in the plan or plans procured by the Comptroller
37 pursuant to subsection (a) of this section. Such participation shall be
38 voluntary and the participant shall pay the full cost of the coverage
39 under such plan.

40 (3) Effective December 1, 2000, any judicial marshal shall be allowed
41 to participate in the plan or plans procured by the Comptroller

42 pursuant to subsection (a) of this section. Such participation shall be
43 voluntary and the participant shall pay the full cost of the coverage
44 under such plan unless and until the judicial marshals participate in
45 the plan or plans procured by the Comptroller under section 5-259
46 through collective bargaining negotiations pursuant to subsection (f) of
47 section 5-278."

48 Strike section 141 in its entirety and substitute the following in lieu
49 thereof:

50 "Sec. 141. Section 6-33 of the general statutes is repealed and the
51 following is substituted in lieu thereof:

52 The sheriffs elected in the several counties shall receive salaries
53 annually as follows: The sheriffs of the counties of New Haven,
54 Hartford, Fairfield and New London, thirty-seven thousand dollars
55 each; the sheriffs of the counties of Middlesex, Tolland, Litchfield and
56 Windham, thirty-five thousand dollars each. Said salaries shall be paid
57 by the state and shall be in full compensation for the performance of all
58 duties required by law to be performed by any of said sheriffs for the
59 state of Connecticut. [, except for the service of civil process, for which
60 service any such sheriff shall be entitled to receive and retain the fees
61 therefor provided by law.] Said salaries shall be in lieu of all other
62 salaries paid by the state to said sheriffs. [,and all fees and allowances,
63 except those for the service of civil process, payable by statute to a
64 sheriff elected in any county, shall belong to the state, and shall be
65 collected by such sheriff for its use; provided, in cases where such fees
66 are payable ultimately by the state, no such fee shall be taxed, allowed
67 or paid to any such sheriff.] Commencing December 1, 2000, the
68 Department of Administrative Services shall be responsible for the
69 administrative functions of the Office of the County Sheriffs."

70 Strike sections 143 and 144 in their entirety and substitute the
71 following in lieu thereof:

72 "Sec. 143. (NEW) On or after December 1, 2000, no sheriff may
73 appoint or remove any deputy sheriff or special deputy sheriff.

74 Sec. 144. (NEW) Before December 1, 2000, each high sheriff, in
75 carrying out the duties of sheriff, shall cooperate with the Chief Court
76 Administrator to ensure the efficient operation of the office of sheriff
77 and transition of the functions of said office to the Judicial
78 Department."

79 Strike sections 146, 147 and 148 in their entirety and substitute the
80 following in lieu thereof:

81 "Sec. 146. (NEW) (a) There is established a State Marshals Advisory
82 Board which shall consist of twenty-four state marshals. Between
83 November 9, 2000, and November 14, 2000, and annually thereafter,
84 the state marshals in each county shall elect from among the state
85 marshals in their county the following number of state marshals to
86 serve on the board: Hartford, New Haven and Fairfield counties, four
87 state marshals; New London and Litchfield counties, three state
88 marshals; and Tolland, Middlesex and Windham counties, two state
89 marshals. State marshals elected to serve on the board shall serve for a
90 term of one year and may be reelected.

91 (b) On or after the effective date of this act, the Chief Court
92 Administrator shall designate a date and time for the state marshals in
93 each county to come together for the purpose of electing state marshals
94 from each county to serve on the State Marshals Advisory Board
95 pursuant to subsection (a) of this section. A majority of the filled state
96 marshal positions in each county shall constitute a quorum for that
97 county. The election of state marshals to serve on the board shall be by
98 majority vote. The names of the state marshals elected in each county
99 shall be forwarded to the Chief Court Administrator. The Chief Court
100 Administrator, upon receipt of the election results from all counties,
101 shall designate a date and time for the first meeting of the board to
102 take place as soon as practicable after November 14, 2000.

103 Sec. 147. Subsection (b) of section 5-192v of the general statutes is
104 repealed and the following is substituted in lieu thereof:

105 (b) No member reemployed under this section or otherwise

106 reentering state service shall receive a retirement income during [his]
107 such member's reemployment or other state service except (1) if [his]
108 such member's services are rendered for not more than ninety working
109 days in any one calendar year, provided that any member reemployed
110 for a period of more than ninety working days in one calendar year
111 shall reimburse the state retirement fund for retirement income
112 payments received during such ninety working days; (2) if [his] such
113 member's services are as a member of the General Assembly, [his] such
114 member's retirement income payments shall not be suspended; or (3) if
115 [his] such member's preretirement services which counted towards
116 [his] such member's retirement are other than as a special deputy
117 sheriff pursuant to chapter 78, and if [his] such member's
118 postretirement services are as a special deputy sheriff or, on and after
119 December 1, 2000, as a judicial marshal, and [he] such member was
120 employed as [such] a special deputy sheriff on July 1, 1999.

121 Sec. 148. Subsection (c) of section 5-164a of the general statutes is
122 repealed and the following is substituted in lieu thereof:

123 (c) No member reemployed under this section or under section 5-
124 164 or elected to serve in the General Assembly or otherwise
125 reentering state service shall receive a retirement income during [his]
126 such member's reemployment or other state service except (1) if [his]
127 such member's services as an employee are rendered for not more than
128 ninety working days in any one calendar year, provided that any
129 member reemployed for a period of more than ninety working days in
130 one calendar year shall reimburse the state retirement fund for
131 retirement income payments received during such ninety working
132 days; (2) if [his] such member's services are as a member of the General
133 Assembly or as a sessional employee of the General Assembly during
134 the regular legislative session, [his] such member's retirement income
135 payments shall not be suspended; or (3) if [his] such member's
136 preretirement services which counted towards retirement are other
137 than as a special deputy sheriff pursuant to chapter 78, and if [his]
138 such member's postretirement services are as a special deputy sheriff
139 or, on and after December 1, 2000, as a judicial marshal and [he] such

140 member was employed as [such] a special deputy sheriff on July 1,
141 1999.

142 Sec. 149. (NEW) (a) As used in this section:

143 (1) "Contribution" has the same meaning as "contribution" as
144 defined in section 9-333b of the general statutes, as amended, except
145 that the exclusions to said term in subsection (b) of said section shall
146 not apply;

147 (2) "Expenditure" has the same meaning as "expenditure" as defined
148 in section 9-333c of the general statutes, as amended, except that the
149 exclusions to said term in subsection (b) of said section shall not apply;
150 and

151 (3) "Immediate family" means a dependent relative who resides in
152 the individual's household or any spouse, child or parent of the
153 individual.

154 (b) No high sheriff may, directly or indirectly, solicit a contribution
155 or an expenditure from a deputy sheriff, a special deputy sheriff, an
156 employee of the high sheriff, a member of the immediate family of a
157 deputy sheriff, special deputy sheriff or employee of the high sheriff,
158 or a business client with whom the high sheriff has conducted business
159 in his capacity as high sheriff during the preceding twelve months, for
160 (1) an exploratory committee or a candidate committee established by
161 a high sheriff, (2) a political committee established by a high sheriff or
162 an agent of a high sheriff, (3) the aid or promotion of the success or
163 defeat of a referendum question or (4) any other purpose for which
164 contributions or expenditures may be made under chapter 150 of the
165 general statutes.

166 (c) A high sheriff commits a violation of this section when such high
167 sheriff, with intent that conduct that would constitute a violation of
168 this section if performed by a high sheriff be performed by another
169 person, agrees with one or more persons to engage in or cause the
170 performance of such conduct and any one of them commits an overt

171 act in pursuance of such agreement.

172 (d) Any person who violates any provision of this section shall be
173 guilty of a class D felony.

174 Sec. 150. (NEW) No state marshal shall knowingly bill for, or receive
175 fees for, work that such state marshal did not actually perform.

176 Sec. 151. (NEW) Any person who pays, lends or contributes
177 anything of value to a person who is an appointing authority for the
178 State Marshal Commission under section 8 of this act for political
179 purposes shall not be eligible for appointment as a state marshal for a
180 period of two years.

181 Sec. 152. (NEW) The State Marshal Commission shall periodically
182 review and audit the records and accounts of the state marshals. Upon
183 the death or disability of a state marshal, the commission shall appoint
184 a qualified individual to oversee and audit the records and accounts of
185 such state marshal and render an accounting to the commission."

186 Strike lines 3558 to 3563, inclusive, in their entirety and substitute
187 the following in lieu thereof:

188 "Sec. 154. This act shall take effect from its passage, except that (1)
189 sections 1 to 7, inclusive, 10 to 123, inclusive, 125 to 138, inclusive, 147,
190 148 and 150 to 153, inclusive, shall take effect December 1, 2000, (2) if
191 the Secretary of the State certifies that the constitutional amendment
192 eliminating county sheriffs was not approved by the voters, sections 8,
193 9, 139 to 146, inclusive, and 149 shall cease to be effective on the date of
194 said certification, and sections 1 to 7, inclusive, 10 to 123, inclusive, 125
195 to 138, inclusive, 147, 148 and 150 to 153, inclusive, shall not take effect
196 on December 1, 2000, and (3) section 124 shall take effect on the date
197 when both of the following events have occurred: (A) The Secretary of
198 the State has certified the vote approving the constitutional
199 amendment eliminating county sheriffs, and (B) the Commissioner of
200 Children and Families has filed with the Governor and General
201 Assembly written certification that the new Connecticut Juvenile

202 Training Center is operational."